

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

TIGER FIBERS, LLC, <i>et al.</i> ,)	
)	
Plaintiff,)	
)	
v.)	No. 1:07cv1106 (AJT/TCB)
)	
ASPEN SPECIALTY INSURANCE)	
COMPANY,)	
)	
Defendant.)	
_____)	

ORDER

This matter is before the Court on Plaintiffs' Motion for Summary Judgment (Doc. No. 107) and the Motion for Summary Judgment by Defendant Aspen Specialty Insurance Co. (Doc. No. 106). For the reasons stated in the accompanying Memorandum Opinion, it is hereby:

ORDERED that Plaintiffs' Motion for Summary Judgment as it pertains to Aspen Policy PP000508's provision of building coverage as alleged in Count I and Count II of Plaintiffs' Amended Complaint be, and the same hereby is, GRANTED and this Court hereby declares and finds that the building coverage provided by Aspen Policy PP000508 is valid and enforceable in favor of Plaintiff Atlantic Recycling Technologies, LLC as to the insured property located at 853 Industrial Park Drive, Lawrenceville, Virginia; it is

FURTHER ORDERED that the parties shall jointly advise the Court on or before January 30, 2009, whether either elects to invoke the appraisal process set forth in Aspen Policy PP000508 with respect to the value of the building coverage claim that is the subject of this Order; it is

FURTHER ORDERED that Defendant's Motion for Summary Judgment as to Plaintiffs' claim for building coverage under Aspen Policy PP000508 be, and the same hereby is, DENIED; it is

FURTHER ORDERED that Defendant's Motion for Summary Judgment as to Plaintiffs' request for a declaration under Count II of the Amended Complaint that defendant Aspen Specialty Insurance Co. has a current obligation to pay any additional amounts up to replacement cost with respect to Plaintiffs' personal property claim be, and the same hereby is, GRANTED and Plaintiffs' request is hereby DISMISSED; and it is

FURTHER ORDERED that Defendant's Motion for Summary Judgment as to Plaintiffs' claim for costs and attorney's fees in Count III of the Amended Complaint be, and the same hereby is, GRANTED and Count III is hereby DISMISSED.

The Clerk is directed to forward copies of this Order to all counsel of record.



Anthony J. Trenga
United States District Judge

Alexandria, Virginia
January 16, 2009